

## **WARREN COUNTY BOARD OF SUPERVISORS**

### **COMMITTEE: COUNTY FACILITIES (*AIRPORT-BUILDINGS & GROUNDS*)**

**DATE: MARCH 25, 2013**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS GIRARD  
WOOD  
LOEB  
MASON

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR WESTCOTT

**OTHERS PRESENT:**

JEFFERY TENNYSON, SUPERINTENDENT OF THE DEPARTMENT OF  
PUBLIC WORKS  
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS  
ROSS DUBARRY, AIRPORT MANAGER  
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
MARTIN AUFFREDOU, COUNTY ATTORNEY  
JOAN SADY, CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BENTLEY  
DICKINSON  
FRASIER  
MCDEVITT  
MONROE  
MONTESI  
STRAINER  
TAYLOR  
MIKE SWAN, COUNTY TREASURER  
DON LEHMAN, *THE POST STAR*  
THOM RANDALL, *ADIRONDACK JOURNAL*  
DAVID CEDERSTROM, *THE CHRONICLE*  
NICOLE LIVINGSTON, SECOND DEPUTY CLERK

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Mr. Girard called the meeting of the County Facilities Committee to order at 10:57 a.m.

Motion was made by Mr. Mason, seconded by Mrs. Wood and carried unanimously to approve the minutes of the February 28, 2013 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Frank Morehouse, Superintendent of Buildings, who distributed copies of his agenda packet to the Committee members; *a copy of the agenda packet is on file with the minutes.*

Commencing the Agenda review, Mr. Morehouse presented a request for a lease modification with North Country Soda Blasting. He explained the desire was to relocate the North Country Soda Blasting to the other side of the building on Lower Warren Street to allow the company better access into the building and all other terms of the lease would remain the same. Jeff Tennyson, Superintendent of Public Works, clarified this action would just amend the attachment to the lease agreement.

Motion was made by Mr. Loeb, seconded by Mrs. Wood and carried unanimously to approve the request for a lease modification with North Country Soda Blasting as outlined above, and the necessary resolution was authorized for the April 19, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

The next item on the Agenda, Mr. Morehouse said, was a request to increase the purchase authorization for the panic alarm in the Municipal Center and the Human Services Building by \$1,500, to a total price of \$4,000. He asserted there had been an increase in the prevailing wage rate, as well as an increase in the number of ports needed for the alarm interface to connect with the Sheriff's Department. He noted it would be necessary to amend Resolution No. 672 of 2012 which authorized the purchase of the software for the panic alarm.

Motion was made by Mr. Loeb and seconded by Mrs. Wood to approve the request as presented.

Mr. Mason questioned what the original amount had been for the purchase of the panic alarm and Mr. Morehouse responded \$2,500 for both the Municipal Center and Human Services Buildings. Paul Dusek, County Administrator, recommended a Contingent Fund transfer to cover this cost. He further clarified the original project had anticipated that the cost for the Municipal Building would be \$1,200 which had increased by \$700 to pay for additional ports in the system to service additional areas of the building, including the court facilities. He added the cost to incorporate the Human Services Building had been grossly underestimated by the company and would actually cost \$1,800 to implement. Mr. Dusek apprised that although there was an increase in cost from \$2,500 to \$4,000, the end result would be that when a panic alarm button was pushed in either the Municipal Center or the Human Services Building, the alarm would go directly to the Sheriff's Department, as opposed to the company who would then notify the Sheriff, which had been determined to cause a 2 to 3 minute delay.

Mr. Girard called the question and the motion was carried unanimously to amend Resolution No. 672 of 2012 to increase the purchase authorization for the panic alarm for an additional \$1,500 as outlined above, with the source of funding to be referred to the Finance Committee with the recommendation for a Contingent Fund transfer, and the necessary resolution was authorized for the April 19, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Morehouse stated the next item on the Agenda was a request to authorize the final payment for Clark Patterson Lee in the amount of \$3,552 for services rendered with regard to the Human Services Building. He noted the necessary funds were included in the Capital Project for the Human Services Building. Mr. Dusek mentioned the services were in connection with the ceiling collapse that occurred in that building a few years ago. Mr. Bentley asked if the air leaks around the windows in the Human Services Building had been taken care of and Mr. Morehouse replied affirmatively.

Motion was made by Mrs. Wood, seconded by Mr. Mason and carried unanimously to approve the request to authorize the final payment to Clark Patterson Lee as outlined above, and the necessary resolution was authorized for the April 19, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Dusek expounded the next item for discussion was the purchase of plexiglass for the town posters located in the hallway. He regretfully acknowledged that the posters had recently been damaged; however, he said, the Buildings & Grounds crew could create a thin sheet of plexiglass to put over the posters at a cost of \$800 to prevent additional damage from occurring. He questioned the desire of the Committee. Mr. Taylor asked if the posters could

be reproduced by the Tourism Department and Mr. Dusek responded they could be reproduced at a cost of \$75 per poster. Mr. Strainer wondered if the cost of the plexiglass could be covered by occupancy tax funds since the posters were tourism related. Mr. Loeb queried how long the posters would be on display in the hallway and Mr. Dusek said he was hoping they would remain permanently because they were such a nice representation of each community.

Motion was made by Mr. Mason, seconded by Mr. Loeb and carried unanimously to authorize the Buildings & Grounds crew to purchase and install a thin sheet of plexiglass over the town posters located in the hallway at a cost of \$800, with the source of funding to be referred to the Finance Committee with the recommendation for a transfer of occupancy tax funds. A copy of the resolution request form is on file with the minutes.

Under the Referrals portion of the Agenda, Mr. Morehouse advised that with regard to the restructuring of the front entrance, he was in the process of receiving masonry quotes for repair of the front steps and he had also obtained aerial photos for review. He reminded the Committee members they were seeking input for ideas for the front entrance with the goal of having a plan developed to be included in the budget next year. He reported he had met with Cornell Cooperative Extension recently to have a soil sample performed and the result of that sample led to the suggestion to reduce the amount of mowing that was done around the Municipal Center campus. Mr. Morehouse noted he would like to have some areas that could go to native plants. He said he would return to the Committee with more details prior to the commencement of the mowing season.

In connection with the bus stop Referral, Mr. Morehouse advised there had not been any action on that matter yet. Mr. Loeb questioned the status of the employee survey in terms of an improvement to bus services and Mr. Dusek responded he would need to follow up with the Personnel Officer and report back at a later date.

Mr. Girard acknowledged an executive session was needed for the Buildings & Grounds portion of the meeting; however, he suggested that they postpone the executive session until the end of the Airport portion of the meeting.

Privilege of the floor was extended to Ross Dubarry, Airport Manager, who distributed copies of the Airport agenda to the Committee members; *a copy of the agenda is also on file with the minutes.*

Mr. Dubarry presented a request to submit a grant application to the FAA (Federal Aviation Administration)/NYS DOT (New York State Department of Transportation) for Phase III of Capital Project No. H306.9550 280 Land/Avigation Easement-Forest Enterprises Parcel, for an amount of \$380,700. He added this grant would be used to purchase the property based on the County's offer that was previously submitted and for additional technical support services that go along with that project.

Motion was made by Mrs. Wood and seconded by Mr. Loeb to approve the request as presented.

Mr. Tennyson clarified that this grant was relative to the offer that was accepted by Forest Enterprises, with reserved rights to seek additional compensation. The next step, he continued, was to apply for the FAA grant, as outlined by Mr. Dubarry, in order to receive that money to provide initial payment and acquire the property. He added this also included the technical services from the engineers, as well as the legal services involved with sorting the additional claims of compensation that Forest Enterprises had claimed they were entitled to. Mr. Tennyson pointed out that in the future a decision would be made as to that compensation level, which would either remain as a reasonable amount, or it may be determined to be too high or it may be determined that the compensation should have been a greater amount, in which case they would request permission to submit another grant application.

Martin Auffredou, County Attorney, apprised the County offer was \$327,200 for the aviation easements and he noted that he felt comfortable concluding that Forest Enterprises would return with another figure. He added the County did have its' appraisal which the FAA had reviewed and Forest Enterprises had submitted a critique of that appraisal. He cautioned that there may be future deliberations with regard to this matter and it could be necessary to seek additional FAA grant funds. Mr. Auffredou acknowledged he was unaware of the guarantee process with the FAA for additional grant funds; however, he said, he assumed that if there were compelling reasons for the County to revise its' appraisal that the FAA would agree with that and there would be an upward modification, although he reiterated that he was not sure if there was any guarantee in that process. He asserted that he felt very comfortable with the County's appraisal report and remarked that he was not impressed with the critique that was given of it; therefore, he reminded the Committee members that this matter had a long history which could continue to be even longer before it was resolved.

Mr. Dusek summarized if the County paid Forest Enterprises for the property, the County would then own it. If Forest Enterprises was able to obtain a higher verdict in court stating the County owed more money for the property as Forest Enterprises had claimed, he continued, the County would be liable for that amount. Mr. Dusek pointed out the question would be whether or not the County could get that money back from the FAA, which was a risk that the Committee should be aware of.

Mr. Tennyson mentioned there was a very stringent Federal guideline under Federal Aid projects that were backed with NYS DOT and Local funding, as to how appraisal reports were evaluated and to date, Forest Enterprises had not provided an appraisal report; however, he said, the critique of the County's appraisal that they submitted was completed by an appraiser. He asserted that the valuation that Forest Enterprises was seeking would have to meet the same standards as the one which had already been funded by the FAA.

Mr. Auffredou recognized that the Town of Queensbury Planning Board had granted Forest Enterprises a number of extensions during which time the County had offered its' willingness to work with them on the access road to the property and his understanding was that the County was still willing to do so. He added that Forest Enterprises was also afforded a certain period of time under State Law to accept or reject the offer and in late February they had indicated in writing that they would be accepting the County's offer with the reservation of rights to seek additional compensation. Mr. Auffredou mentioned that he believed Forest

Enterprises had up to three years from the date of the appraisal to file a claim and pursue that additional compensation.

Following discussion, Mr. Girard called the question and the motion was carried unanimously to approve the request to submit a grant application to the FAA/NYS DOT as outlined above, and the necessary resolution was authorized for the April 19, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Dubarry presented a request to increase Capital Project No. H306.9550 280 Land/Avigation Easement-Forest Enterprises Parcel in the amount of \$369,129.48 for the purchase of land and easement acquisition with Forest Enterprises, with the source of funding for the 5% Local Share to be transferred from Code A892.00 Reserve, Airport Repair & Projects.

Mr. Tennyson explained there were three action pieces that related to the Forest Enterprises property: applying for the grant; increasing the Capital Project to receive the grant and put the grant money into the project; and entering into a new contract to expend the funds that would be in the Capital Project.

Motion was made by Mr. Mason, seconded by Mr. Loeb and carried unanimously to approve the requests to increase Capital Project No. H306.9550 280 Land/Avigation Easement-Forest Enterprises Parcel in the amount of \$369,129.48 for the purchase of land and easement acquisition with Forest Enterprises, with the source of funding for the 5% Local Share to be transferred from Code A892.00 Reserve, Airport Repair & Projects and to refer the same to the Finance Committee. A copy of the resolution request form is on file with the minutes.

Mr. Dubarry added the last request was to authorize a new contract with C&S Companies, Inc. to provide the required professional engineering and consulting services for Phase III of Capital Project No. H306.9550 280 Land/Avigation Easement-Forest Enterprises Parcel, for a total amount not to exceed \$38,000.

Motion was made by Mr. Mason, seconded by Mr. Loeb and carried unanimously to authorize a new contract with C&S Companies, Inc. as outlined above, and the necessary resolution was authorized for the April 19, 2013 Board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Girard directed the Committee members to the Airport Referrals, and stated Item 1 was a request from Mr. Westcott to establish a Task Force to assess the 2002 Master Plan for the Airport and to hold a public hearing to discuss the Airport expansion projects. He informed that he and Mrs. Wood had attended a meeting with the FAA pertaining to the runway extension, obstructions and easement projects the County was undertaking and he asked Mrs. Wood to expound on the FAA's opinion of the 2002 Master Plan. Mrs. Wood apprised the FAA was comfortable with where the County was with the Master Plan and would like to see it completed prior to it be re-evaluated. Mr. Girard agreed and noted 8 of the 18 items in the Plan had been completed to date and the County was in position to execute another 10 items. He advised the FAA wanted to see those items completed, followed by a 2 to 3 year assessment and then it would be time to re-evaluate the Master Plan.

Mr. Mason suggested both Referral items remain on the list for discussion next month, given the absence of Mr. Westcott at the meeting.

Mr. Loeb referred to the landscaping at the Airport and questioned if it would be possible to improve and expand the existing landscape, particularly around the older buildings. Mr. Dubarry asserted there was only approximately \$200 in the Airport budget for landscaping and if the Committee desired to make improvements, it should be discussed during the budget process to include additional funding in the budget next year. Mr. Loeb wondered if Rich Air, the FBO (Fixed Base Operator) would be interested in making such improvements after the construction of the new restaurant at the Airport. Mr. Tennyson apprised the design and plan for the aforementioned restaurant would be presented to the Committee once a more formal concept was submitted, at which time the Committee members could present their suggestions for certain esthetics to the building and landscaping.

Prior to adjourning, Mr. Girard reminded the Committee of the need for an executive session under the Buildings & Grounds portion of the meeting, to discuss the employment history of a particular person.

Motion was made by Mr. Loeb, seconded by Mrs. Wood and carried unanimously that executive session be declared pursuant to Section 105 (f) of the Public Officers Law.

Executive session was declared from 11:56 a.m. to 12:04 p.m.

The Committee reconvened and Mr. Girard announced no action was needed pursuant to the executive session.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. Loeb and seconded by Mrs. Wood, Mr. Girard adjourned the meeting at 12:05 p.m.

Respectfully submitted,

Nicole Livingston, Second Deputy Clerk